

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

LARRY W. ASHWORTH,

Plaintiff,

v.

Civil Action No. 2:20-CV-00053-JDC-KK  
Judge James D. Cain, Jr.

KERR MCGEE CHEMICAL CORP, et al.,

Defendants.

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**PLAINTIFF LARRY W. ASHWORTH AND DEFENDANTS OCCIDENTAL  
PETROLEUM CORPORATION AND ANADARKO PETROLEUM CORPORATION'S  
JOINT STATUS REPORT**

Pursuant to the Court's June 10, 2021 Order, ECF 57, directing the parties to file a status update, Plaintiff Larry W. Ashworth ("Mr. Ashworth") and Defendants Occidental Petroleum Corporation ("Occidental") and Anadarko Petroleum Corporation ("Anadarko") file this joint status report to inform the Court of the parties' ongoing discussions regarding whether these proceedings should remain stayed pending resolution of related proceedings between the parties in New York federal court.

On March 12, 2021, Occidental and Anadarko filed a Notice of Appeal in the United States Court of Appeals for the Second Circuit, case number 21-627, appealing a February 19, 2021 opinion and order issued by Judge Oetken of the United States District Court for the Southern District of New York, denying Occidental and Anadarko's motion to enforce a November 19, 2014 permanent injunction barring Mr. Ashworth's claims before this Court.

On May 10, 2021, Mr. Ashworth moved to dismiss Occidental and Anadarko's appeal on the grounds that the Second Circuit lacks appellate jurisdiction. Occidental and Anadarko filed their response on May 28, 2021, and Mr. Ashworth filed his reply in support of his motion to

dismiss on June 11, 2021. On August 31, 2021, the Second Circuit added the case to the substantive motions calendar for September 14, 2021.

Occidental and Anadarko remain steadfast in their belief that the November 19, 2014 permanent injunction bars Mr. Ashworth's claims against Occidental and Anadarko. Mr. Ashworth, through his counsel, remains steadfast that there is no such bar, in addition to the jurisdiction question they have raised.

The parties therefore request that this case remain stayed as to Occidental and Anadarko, pending further discussion between the parties. The parties propose to file a further status report with the Court in thirty (30) days to address the status of the pending appeal and how best to proceed in this action, including whether and/or how to proceed with briefing, on Occidental and Anadarko's motion to dismiss Mr. Ashworth's claims for lack of personal jurisdiction and/or whether Mr. Ashworth will seek to amend his complaint.

Dated: September 9, 2021

Respectfully submitted,

s/ Perry R. Sanders, Jr.

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Occidental Petroleum Corporation*

**CERTIFICATE OF SERVICE**

I certify that on September 9, 2021, I served the foregoing on all counsel of record by filing the pleading with the Court's electronic court filing ("ECF") system, which automatically notifies all counsel of record.

s/ Lynne M. Powers

Lynne M. Powers